

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

Inventor(s)

for

Title of invention

the specification of which is being transmitted herewith

OR

In re application of: SORKIN, Felix L.

Application No.: 10 / 756,775 Group No.:

Filed: January 12, 2004 Examiner:

For: POSITIVELY RETAINED CAP FOR USE ON AN ENCAPSULATED  
ANCHOR OF A POST-TENSION ANCHOR SYSTEMAssistant Commissioner for Patents  
Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT

**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
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I hereby certify that, on the date shown below, this correspondence is being:

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(Information Disclosure Statement [6-1]—page 1 of \_\_\_\_\_)

**NOTE:** "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last."

37 C.F.R. § 1.97(b).

**NOTE:** "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

**NOTE:** The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

**WARNING:** "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

### List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections  
and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited  
and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
  - 7A. ☐ EPO Search Report
  - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☒ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections \_\_\_\_\_, respectively, have been continued on ADDED PAGE(S).

**NOTE:** "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

## **Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## Section 6. Copies of Listed Information Items Accompanying This Statement

*NOTE: 37 C.F.R. 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . . "*

*NOTE: The wording in § 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.*

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

*(complete the following, if applicable)*

- ☐ Exception(s) to above:
  - ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
  - ☐ Cumulative patents or publications identified in Section 5.

## **Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)**

*NOTE: "Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-41, 38).*

U.S. Patent No. 6,023,894, issued on February 15, 2000 to the present inventor, discloses an anchor of a post-tension anchorage system with an improved cap connection in which said cap has a flanged end adjacent an open end of the tubular body of the cap. The flanged end has a circumferential surface. A locking member is formed on the circumferential surface for detachably engaging the protrusion such that the flanged end is fixedly received within the tubular section.

U.S. Patent No. 5,755,065, issued on May 26, 1998 to the present inventor, describes a method and apparatus for forming an anchorage of a post-tension system. The system includes an anchor member, a tendon, a plurality of wedges and a spring. A cap member is affixed to one end of the anchor member. The spring is received in the anchor member so as to be in compressive relationship with the plurality of wedges so as to urge the wedges toward an opposite end of the anchor member.

U.S. Patent No. 5,440,842, issued on August 15, 1995, to the present inventor, describes one technique for sealing and anchor. In this patent, a cap is provided with a O-ring seal disposed inwardly of a lip at the end of the cap. When the cap is pushed into the interior of the tubular section of the anchor, the elastomeric seal will engage the walls of the tubular section in generally friction-fit relationship. As such, the cap will be retained properly in place.

Unfortunately, this device could be easily dislodged or improperly placed. It is also possible that the cap could be improperly installed and this improper installation would not be noticeable upon inspection.

U.S. Patent No. 5,072,588, issued on December 17, 1991 to the present inventor, teaches a tendon tensioning anchor of the prior art in which a corrosion protection tube is affixed to the trumpet portion of the anchor in frictional engagement therewith. A seal is fastened to the other end of the tubing so as to create a liquid-tight seal with a tendon passing therethrough. The seal is fitted into the end of the tubing opposite the anchor and has a surface extending inwardly so as to reside in surface-to-surface contact with the sheathing of the tendon.

U.S. Patent No. 4,896,470, issued on January 30, 1990 to the present inventor, presents a tendon tensioning anchor comprising a base member with a tubular section therefrom and a plastic encapsulation in air-tight juxtaposition with the exterior of the base member and the exterior of the tubular section. The plastic encapsulation opens at the end of the tubular section opposite the base member.

**Section 10. Identification of Person(s) Making This Information Disclosure Statement**

The person making this statement is

*(check each applicable item)*

- (a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
*(type name of inventor who is signing)*

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
*(type name of inventor who is signing)*

- (c) ☒ the practitioner who signs below on the basis of the information:

*(check each applicable item)*

- ☐ supplied by the inventor(s).  
☐ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))  
☒ in the practitioner's file.

\_\_\_\_\_  
SIGNATURE OF PRACTITIONER

John S. Egbert

\_\_\_\_\_  
*(type or print name of practitioner)*

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